

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE OR CHANGE

The agency identified below in box 1 provides notice of proposed rule or change pursuant to Utah Code Subsections 63-46a-4(2) and (4). Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

State of Utah Division of Administrative Rules (DAR) 4120 State Office Building; 450 North Main PO Box 141007 Salt Lake City, UT 84114-1007 Phone: (801) 538-3218, FAX: (801) 538-1773 State E-mail: asdomain.asitmain.rules	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 2px;">DAR file no.:</td></tr><tr><td style="padding: 2px;">Utah Admin. Code ref. (R no.): R317-5</td></tr><tr><td style="padding: 2px;">Date filed:</td></tr><tr><td style="padding: 2px;">Time filed:</td></tr><tr><td style="padding: 2px;">Received by:</td></tr></table>	DAR file no.:	Utah Admin. Code ref. (R no.): R317-5	Date filed:	Time filed:	Received by:															
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2. Title of rule or section (catchline): Large Underground Wastewater Disposal Systems																					
3. Type of notice: <table style="width: 100%;"><tr><td style="width: 20%;">Proposed rules</td><td style="width: 10%;"><input type="checkbox"/></td><td style="width: 20%;">New</td><td style="width: 10%;"><input checked="" type="checkbox"/></td><td style="width: 20%;">Amendment</td><td style="width: 10%;"><input type="checkbox"/></td><td style="width: 10%;">Repeal</td></tr><tr><td></td><td><input type="checkbox"/></td><td colspan="5">Repeal and reenact</td></tr></table> <hr style="border-top: 1px dashed black;"/> <table style="width: 100%;"><tr><td style="width: 20%;">Other rule types</td><td style="width: 10%;"><input type="checkbox"/></td><td style="width: 20%;">Change in proposed rule</td><td style="width: 20%;">(changes original proposed rule file no.:</td><td style="width: 10%;"><input type="text"/></td><td style="width: 10%;">)</td></tr></table>		Proposed rules	<input type="checkbox"/>	New	<input checked="" type="checkbox"/>	Amendment	<input type="checkbox"/>	Repeal		<input type="checkbox"/>	Repeal and reenact					Other rule types	<input type="checkbox"/>	Change in proposed rule	(changes original proposed rule file no.:	<input type="text"/>)
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4. Purpose of the rule or reason for the change: The Utah Water Quality Act was amended by H.B. 14 during the 2001 legislative session. The proposed amendment updates definitions and adds certification requirements to make the rule consistent with the new statutory language.																					
5. This rule or change is a response to comments by the Administrative Rules Review Committee.																					
<table style="display: inline-table;"><tr><td style="width: 20px; height: 20px; border: 1px solid black;"></td><td style="width: 20px; height: 20px; border: 1px solid black; text-align: center;">Yes</td><td style="width: 20px; height: 20px; border: 1px solid black; text-align: center;">X</td><td style="width: 20px; height: 20px; border: 1px solid black;"></td><td style="width: 20px; height: 20px; border: 1px solid black; text-align: center;">No</td></tr></table>			Yes	X		No															
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6. Summary of the rule or change: The proposed amendment updates several definitions concerning onsite wastewater disposal systems. In addition, the amendment add a requirement that after January 1, 2002, onsite wastewater disposal designs must be prepared in accordance with certification requirements in R317-11, and the system designer must, following construction of the system, certify in writing that the system was installed in accordance with the approved plans and specifications.																					
7. Aggregate anticipated cost or savings to: <table style="width: 100%;"><tr><td style="width: 20%;">State budget:</td><td>None. The proposed changes will be addressed using existing staff and resources and will not result in a cost or saving to the state budget.</td></tr></table>		State budget:	None. The proposed changes will be addressed using existing staff and resources and will not result in a cost or saving to the state budget.																		
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Local government: None. The proposed changes will be addressed using existing staff and resources. and will not result in a cost or saving to local government.

Other persons: The rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100 for training.

8. Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

The rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100 for training.

9. Comments by the department head on the fiscal impact the rule may have on businesses:

The rule requires that after January 1, 2002, persons who design, inspect or maintain underground wastewater disposal systems, and who conduct percolation tests or soil evaluations for these systems, must be certified by the State. The cost of obtaining certification is estimated at \$50 to \$100 for training.

10. This rule or change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required): Section 19-5-104

Federal citations (optional):

11. This rule or change adds or updates an incorporated reference (submit a copy to DAR): ☐ Yes ☒ No

Reference title and date of issue or edition:

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the *Utah State Bulletin*. See Section 63-46a-5 and Rule R15-1 for more information.)

Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 7/02/2001

A public hearing (optional) will be held on (mm/dd/yyyy):

at (time):

at (place):

June 19:

Time: 10:30am

Place: Southeastern Health Department Conference Room

Address: 28 S. 100 E. Price UT. 84501

Time: 7:00pm

Place: Iron County Visitor Center, West Meeting Room

Address: 585 N. Main, Cedar City, UT. 84720

June 20:

Time: 2:00pm-4:00

Place: Cannon Health Building, Room 125

Address: 288 N. 1460 W. Salt Lake City, UT. 84114

13. This rule or change may become effective on (mm/dd/yyyy):

7/23/2001

14. Indexing information - keywords (maximum of four, in lower case):

water pollution, sewerage

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15. Indexing information - affected industries (two-digit SIC codes):

49

16. Attach a WordPerfect document containing the text of this rule or change (filename):

R317-5_5-15-01.txt

To the agency: Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms may be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

AGENCY AUTHORIZATION

Agency head or designee,
and title:

Dianne R. Nielson Director, DEQ

Date
(mm/dd/yyyy):

5/15/01